
HOUSE BILL No. 1684

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-10.1-5-7; IC 33-19-7-4.

Synopsis: City courts and distribution of court fees. Makes city courts courts of record. Makes the following changes to the distribution of criminal costs fees, infraction or ordinance violation costs fees, civil costs fees, small claims costs fees, and deferred prosecution fees: (1) Reduces from 20% to 15% the percentage of the collected fees that the clerk of a city or town court distributes each month to the county auditor as the county share. (2) Increases from 25% to 30% the percentage of the collected fees that the city or town fiscal officer retains as the city or town share.

Effective: July 1, 2001.

Ruppel, Ayres

January 17, 2001, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1684

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 33-10.1-5-7, AS AMENDED BY P.L.196-1999,
- 2 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2001]: Sec. 7. (a) A city court is ~~not~~ a court of record.
- 4 (b) A town court is not a court of record.
- 5 (c) A person selected as judge of the following courts must be an
- 6 attorney in good standing under the requirements of the supreme court:
- 7 (1) Anderson city court.
- 8 (2) Avon town court.
- 9 (3) Brownsburg town court.
- 10 (4) Carmel city court.
- 11 (5) A city or town court located in Lake County.
- 12 (6) Muncie city court.
- 13 (7) Noblesville city court.
- 14 (8) Plainfield town court.
- 15 SECTION 2. IC 33-19-7-4 IS AMENDED TO READ AS
- 16 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) The clerk of a
- 17 city or town court shall semiannually distribute to the auditor of state

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as the state share for deposit in the state general fund fifty-five percent (55%) of the amount of fees collected under the following:

- (1) IC 33-19-5-1(a) (criminal costs fees).
- (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-19-5-4(a) (civil costs fees).
- (4) IC 33-19-5-5 (small claims costs fees).
- (5) IC 33-19-6-16.2 (deferred prosecution fees).

(b) Once each month the city or town fiscal officer shall distribute to the county auditor as the county share ~~twenty fifteen percent (20%)~~ **(15%)** of the amount of fees collected under the following:

- (1) IC 33-19-5-1(a) (criminal costs fees).
- (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-19-5-4(a) (civil costs fees).
- (4) IC 33-19-5-5 (small claims costs fees).
- (5) IC 33-19-6-16.2 (deferred prosecution fees).

(c) The city or town fiscal officer shall retain ~~twenty-five~~ **thirty** percent ~~(25%)~~ **(30%)** as the city or town share of the fees collected under the following:

- (1) IC 33-19-5-1(a) (criminal costs fees).
- (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-19-5-4(a) (civil costs fees).
- (4) IC 33-19-5-5 (small claims costs fees).
- (5) IC 33-19-6-16.2 (deferred prosecution fees).

(d) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in the state user fee fund established under IC 33-19-9 the following:

- (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and corrections fees collected under IC 33-19-5-1(b)(5).
- (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-19-5-1(b)(6), IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).
- (3) One hundred percent (100%) of the highway work zone fees collected under IC 33-19-5-1(b)(9) and IC 33-19-5-2(b)(5).
- (4) One hundred percent (100%) of the safe schools fee collected under IC 33-19-6-16.3.

(e) The clerk of a city or town court shall monthly distribute to the county auditor the following:

- (1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and corrections fees collected under IC 33-19-5-1(b)(5).
- (2) Seventy-five percent (75%) of the alcohol and drug

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1 countermeasures fees collected under IC 33-19-5-1(b)(6),
2 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).
3 The county auditor shall deposit fees distributed by a clerk under this
4 subsection into the county drug free community fund established under
5 IC 5-2-11.

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